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8 **UNITED STATES DISTRICT COURT**  
9 **EASTERN DISTRICT OF CALIFORNIA**

10 CLARENDON NATIONAL INSURANCE  
11 COMPANY and INSURANCE CORPORATION  
12 OF HANNOVER,

13 Plaintiffs,

14 vs.

15 FRANCISCO CRUZ; CONNIE CRUZ;  
16 FERNANDO CRUZ; ANTONIA CRUZ; JUAN  
17 RAMOS CRUZ; MARIA LUISA FRAUSTO DE  
18 CRUZ; BRENDA CRUZ, a minor by and through  
19 her Guardian Ad Litem, MARIA LUISA  
20 FRAUSTO DE CRUZ; DIANA LAURA CRUZ  
21 FRAUSTO, a minor by and through her Guardian  
22 Ad Litem, MARIA LUISA FRAUSTO DE CRUZ;  
23 JAIME CRUZ FRAUSTO, a minor by and through  
24 her Guardian Ad Litem, MARIA LUISA  
25 FRAUSTO DE CRUZ; LIZETTE CRUZ  
26 FRAUSTO, a minor by and through her Guardian  
27 Ad Litem, MARIA LUISA FRAUSTO DE CRUZ;  
28 VIKTOR KHASHCHUK; VALERY TUTELYA;  
TVN TRANSPORTATION, INC., a Nevada  
Corporation; AMERICOLD LOGISTICS, LLC, a  
Delaware Corporation; IGOR PARFENOV; IGOR  
PARFENOV d.b.a. DC TRANSPORT;  
ADVANTAGE SYSTEMS, INC., an Iowa  
Corporation; CITY OF TRACY; COUNTY OF  
SAN JOAQUIN; STATE OF CALIFORNIA; and,  
DOES 1 through 25, Inclusive,

Defendants.

Case No.: CIV.S-04-853 MCE PAN


**ORDER ON DISMISSAL OF  
ACTION WITH PREJUDICE**

**[F.R.C.P. 41(a)(1)]**

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Dated: April 18, 2005

  
MORRISON C. ENGLAND, JR  
UNITED STATES DISTRICT JUDGE